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**Town Commission**

**Dollar General Opposition**

**Monday** **• September 14, 2020 • 6:13 pm**

**Minutes Special Meeting**

1.Call to Order: 6:13pm

2. Invocation and Pledge of Allegiance to Flag

Waived, as they had been completed at the preceding millage/budget hearing starting at 6:00pm.

3. Roll Call

*Commissioners Attending:*

* Joseph Aufmuth, Mayor Present
* Timothy Parker, Mayor Pro Tem Present
* Virginia Mance Present
* Troy Blakely Absent
* Mike Roberts Absent
* Debbie Gonano, Town Administrator Present
* Patty Polk, Deputy Town Clerk Present
* Andrea Parker, Town Attorney Absent

4. Agenda Approval

***Motion made and second (Mance/Parker) to approve agenda; Passed 3-0***

Jeffrey Forbes *(206 E Ocala Avenue)* was present for the meeting and Bud DesForges *(554 NW Seminary Avenue)* joined later.

5. Alachua County Growth Management – CRS Micanopy 9,100 sq. ft. Retail Store (Parcel #16496-004-001)

Mayor Aufmuth commented about an opposition letter written by Commissioner Mance and addressed to the Alachua County Board of County Commissioners regarding the development of a large commercial retail store. The Mayor thought that the letter had taken a scolding tone, and he wondered if the Town wanted to convey that tone of message? Commissioner Mance had received a voluminous amount of information from various people taking an opposing stance on the proposed project, and she had sorted through the information to form the basis for the letter. She was agreeable to revisions to the letter.

Mayor Aufmuth was concerned about the length of the letter, but liked that the letter asked for direct County communication about the project status. Mayor Aufmuth reminded the Commission that County Chair Hutchinson had helped to organize the deal for the Tuscawilla Preserve for the Alachua Conservation Trust, in addition to the County’s investment in the Micanopy Native American Heritage Preserve. Commissioner Mance pointed out that the project is under the direct supervision of the Alachua County Division of Growth Management and would not require approval of the County Commission. The Mayor expressed disappointment that the County would even consider this type of development on their own designated *Florida Scenic Highway*.

Commissioner Mance had included comments of historical significance and support in her letter from individuals and groups including the Alachua County Historical Commission; the Florida Department of State, Division of Historic Resources; the National Parks Services; Gulf Archaeology Research Institute; Florida Trust for Historic Preservation; Rick Gonzalez, Vice Chairman of the President’s Advisory Council on Historic Preservation; and Mark Tarmey, Preservation Architect.

Mayor Pro Tem Parker referenced the State’s finding that more thorough research needs to be done to determine the location of the Battle of Micanopy and that the additional information would need to be reviewed to make a final evaluation, and he thought that would be a hurdle to overcome. Jeff Forbes responded that the County put the preliminary development plan on hold and kicked the issue back to the State for the applicant to provide additional analysis for the State to make a determination, but he has not received a definition of what additional analysis needs to be made. Jeff expressed that the applicant’s additional analysis will probably be completed by *SouthArc*, who clearly has an economic bias in the successful outcome of the planned project. Causseaux, Hewett & Walpole (CHW) are the engineers for the applicant. Mayor Aufmuth answered that the outcome is incumbent on local control and for the County to step up and do something. Jeff Forbes felt that this second letter and the proposed resolution will make a positive, powerful statement.

Commissioner Mance spoke about the issue affecting this particular parcel concerning Alachua County’s zoning error. Changes in the County Comprehensive Plan land use and zoning designations had caused a conflict that resulted in the County issuing a correction. When Alachua County adopted the new Comprehensive Plan, the parcel was intended to have reverted back to *Rural Agriculture* zoning and to have dropped the *Business Highway* zoning, but that was not done due to County oversight. The incorrect zoning designation on the parcel allowed the developer to submit an application to the County’s Development Review Committee for use of the parcel in a manner inconsistent with existing County code. Additionally, because of incorrect zoning, the application only requires acceptance from the Development Review Committee but not the Board of County Commissioners. Jeff Forbes expressed that Alachua Growth Management does not want this parcel to be developed, but unless the State or County identifies the parcel as historically and culturally significant, refusal of the development would risk a lawsuit by the developer.

Another objection of the Mayor is the entrance being at the corner of Tuscawilla and Hwy. 441 and the implications of increased traffic at that location. Jeff Forbes reminded the Commission that even if the planned development is not stopped through historical and cultural significance, there is no guarantee that the project will make it through planned development, The parcel is small and the developer may be required to make major alterations. Commissioner Mance added that the submitted plans don’t include the location of a septic tank, drain field, or water supply. Additionally, sufficient water retention could be an issue.

***Motion made and second (Parker/Mance) to review and approve the letter in the context of this discussion; Passed 3-0***

Mayor Pro Tem Parker, who was in favor of a local grocery store but not in favor of this development, thought that the point of the letter needs to be edited and clarified. Mayor Aufmuth answered that the letter, which is being addressed to the County Commission, was being written so that the planning department would have Commission oversight to ensure that the project is being managed correctly. Parker did not think that the State is going to approve this location as the battlefield site. Additionally, Parker questioned the County rezoning process, and Commissioner Mance explained again what had happened. Mayor Pro Tem Parker wanted to highlight the County’s zoning error in our responses. Commissioner Mance thought that the Town could take the County and the developer to court over a decision because of the erroneous zoning designation. The Mayor offered to edit the letter with the Town Administrator’s help if the general intent of the letter was acceptable. Jeff Forbes estimated that the County would not meet on this matter until the middle of October, but the Mayor wanted the letter finalized by September 30.

The Mayor asked if James & Shelly Rhodes, the current owners of the property, had been approached about a selling price for the parcel? The Mayor thought that the owners should be asked; maybe the owners would appreciate an easier sale. Parker thought that we could ask our attorneys to approach the owners with a price. Bud DesForges agreed.

***Motion made and second (Parker/Mance) to approach the property owner for potential purchase; Passed 3-0***

Town Administrator Gonano volunteered that the Rhodes’ had paid $150,000 for the property. The Mayor would try to partner with other organizations such as the Alachua Conservation Trust or obtain grant funding to raise the necessary funds. Mance thought that if purchased, the property might be annexed into Town.

Commissioner Mance spoke about planned tree removal on the site and the need to protect heritage trees. Town Administrator Gonano reminded the Commission that the Town’s tree ordinance does not protect trees on private property.

Mayor Aufmuth read Resolution 2020-10 by title only.

***Motion made (Mance) to approve Resolution 2020-10; motion dies for lack of a second.***

Parker wanted to delay the vote until we determine if the parcel can be purchased.

***Motion made (Parker) to table the discussion; motion dies for lack of a second.***

Mayor Aufmuth handed the gavel to Mayor Pro Tem Parker. Parker thought that references in the resolution to ‘Dollar General’ should be changed to ‘commercial development.’ The Mayor and Town Administrator will make the changes.

***Motion made and second (Mance/Aufmuth) to approve Resolution 2020-10 with removal of all references to ‘Dollar General’ and to be replaced with the wording ‘commercial development’ and other edits to be made by Mayor Aufmuth and Town Administrator Gonano; Passed 3-0***

Commissioner Mance would welcome a Dollar General outside Town limits on CR234 to serve the residents of Micanopy.

6. Adjourn 7:08pm

**MINUTES APPROVED:**

**As submitted \_\_\_\_\_\_ as amended \_\_\_\_\_ at Town Commission Meeting \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Joseph L. Aufmuth, Mayor Debbie Gonano, Town Administrator/Clerk**